

HOUSE BILL REPORT

HB 2109

As Reported by House Committee On:
Ecology & Parks
General Government Appropriations

Title: An act relating to state parks and recreation funding.

Brief Description: Concerning state parks and recreation funding.

Sponsors: Representatives Upthegrove and Chase.

Brief History:

Committee Activity:

Ecology & Parks: 2/17/09, 2/20/09 [DPS];

General Government Appropriations: 2/26/09 [DPS(EPAR)].

Brief Summary of Substitute Bill

- Requires the State Parks and Recreation Commission to review and determine the fair market value for all existing leases for telecommunications service facilities.

HOUSE COMMITTEE ON ECOLOGY & PARKS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Upthegrove, Chair; Rolfes, Vice Chair; Short, Ranking Minority Member; Chase, Dickerson, Dunshee, Eddy, Finn, Hudgins, Orcutt and Shea.

Minority Report: Do not pass. Signed by 1 member: Representative Morris.

Staff: Jaclyn Ford (786-7339)

Background:

The State Parks and Recreation Commission (Commission) is charged with the care, control, and supervision of all state parks. Certain powers and duties for the Commission are

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established in statute, including the authority to enter into agreements to rent undeveloped park land for grazing, agricultural, or mineral purposes for a term of not more than 40 years.

Summary of Substitute Bill:

Leases for Telecommunications Services Facilities.

The Commission must review and determine the fair market value for all existing leases for telecommunications service facilities based upon independent appraisals and existing leases for telecommunications services facilities. These leases must be extended at the fair market rental for at least one period of not more than 20 years. Leases must be renegotiated every five years.

Definitions.

"Facilities" means all of the plant, equipment, fixtures, appurtenances, antennas, and other facilities necessary to furnish and deliver telecommunications services and cable television services, including, but not limited to, poles with crossarms, poles without crossarms, wires, lines, conduits, cables, communication and signal lines and equipment, braces, guys, anchors, vaults, and all attachments, appurtenances, and appliances necessary or incidental to the distribution and use of telecommunications services and cable television services.

"Telecommunications service" means the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means for hire, sale, or resale to the general public.

"Information" means knowledge or intelligence represented by any form of writing, signs, signals, pictures, sounds, or any other symbols.

Substitute Bill Compared to Original Bill:

The substitute bill deletes:

- the requirements that if there is an approved wetland mitigation site found on Commission lands in the same water resource inventory area as a project requiring mitigation, the project must use the Commission's wetland mitigation site; and
 - the ability of the Department of Ecology to adopt rules to implement the wetland mitigation site provisions.
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Appropriation: None.

Fiscal Note: Available. New fiscal note on substitute bill requested on February 20, 2009.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill found some real money. The Commission is working with the Department of Ecology on wetland mitigation sites in order to get more wetlands on Commission land.

(With concerns) There will be many opportunities to expand the wetland program.

(Opposed) None.

Persons Testifying: (In support) Jim King, Citizens for Parks and Recreation; and Chris Regan, Washington State Parks and Recreation Commission.

(With concerns) Tom Clingman, Department of Ecology.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON GENERAL GOVERNMENT APPROPRIATIONS

Majority Report: The substitute bill by Committee on Ecology & Parks be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Darneille, Chair; Takko, Vice Chair; McCune, Ranking Minority Member; Hinkle, Assistant Ranking Minority Member; Blake, Dunshee, Hudgins, Kenney, Pedersen, Sells, Short, Van De Wege and Williams.

Staff: Charlie Gavigan (786-7340)

Summary of Recommendation of Committee On General Government Appropriations Compared to Recommendation of Committee On Ecology & Parks:

No new changes were recommended.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This will update and modernize telecommunications leases on State Parks lands and should bring in more revenue because many of the leases are based on market value that is significantly understated.

(Opposed) None.

Persons Testifying: Jim King, Citizens for Parks and Recreation; Fred Romero, Washington State Parks Department; and Alia Griffing, Washington Federation of State Employees.

Persons Signed In To Testify But Not Testifying: None.